



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 495

Chairperson: Mike Friend
Committee: Urban Affairs
Date of Hearing: March 10, 2009

The following constitute the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 495 proposes to amend Section 19-916 which governs the approval of additions to a city of the first or second class or a village. An amendment to this section enacted in 2001 (LB 210) raised questions of interpretation relating to the ownership of dedicated streets in approved subdivisions.

The current language (stricken passage found on page 4 of the bill, lines 9 to 15) is replaced by the new language (found on page 6 of the bill in lines 11 to 17) which makes clear that the municipality becomes the owner of the dedicated streets and public areas upon annexation and not upon mere approval of the plat, since formal annexation must follow the approval of the plat in the process set out in this statute.

This provision represents the sole significant substantive amendment in the bill. The remainder of the bill largely rearranges the existing provisions of the statute without substantively amending them.

LB 495 would restructure Section 19-916 to (1) clearly provide that approval of subdivisions of property in a city's or village's extraterritorial zoning jurisdiction are to be done as provided in Sections 16-901 to 16-905 and Sections 17-1001 to 17-1004, (2) allow designated employee to approve further subdivisions of existing lots (current law), and (3) consolidate the procedure for a governing body to approve additions to a city or village.

Principal Introducer: _____
Senator Mike Friend